

1-1 By: Williams S.B. No. 295
1-2 (In the Senate - Filed January 24, 2007; January 30, 2007,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; February 13, 2007, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 8,
1-6 Nays 0; February 13, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 295 By: Williams

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the administration of polygraph examinations to certain
1-11 officers and employees of the Department of Public Safety of the
1-12 State of Texas.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter A, Chapter 411, Government Code, is
1-15 amended by adding Section 411.00741 to read as follows:

1-16 Sec. 411.00741. POLYGRAPH EXAMINATIONS FOR CERTAIN OFFICERS
1-17 AND EMPLOYEES. (a) The department may require a commissioned or
1-18 noncommissioned officer or employee of the department to submit to
1-19 the administration of a polygraph examination administered by a
1-20 polygraph examiner if:

1-21 (1) the officer or employee is assigned to a position
1-22 that requires the officer or employee to work with a federal agency
1-23 on national security issues; and

1-24 (2) the federal agency requires that the officer or
1-25 employee submit to a polygraph examination.

1-26 (b) If an officer or employee does not submit to the
1-27 administration of a polygraph examination required under
1-28 Subsection (a), the department may, as applicable:

1-29 (1) remove the officer or employee from an assignment
1-30 to a position described by Subsection (a)(1); or

1-31 (2) refuse to assign the officer or employee to that
1-32 position.

1-33 SECTION 2. This Act takes effect immediately if it receives
1-34 a vote of two-thirds of all the members elected to each house, as
1-35 provided by Section 39, Article III, Texas Constitution. If this
1-36 Act does not receive the vote necessary for immediate effect, this
1-37 Act takes effect September 1, 2007.

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